

MAINE STATE LEGISLATURE

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M
R.O.S.

L.D. 1208

DATE: March 29, 1999

(Filing No. S- 47)

UTILITIES AND ENERGY

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**STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 419, L.D. 1208, Bill, "An Act to Amend the Enhanced 9-1-1 Laws"

Amend the bill after the title by striking out all of the 2nd to 5th indented paragraphs (page 1, lines 5 to 19 in L.D.) and inserting in their place the following:

'Whereas, calls to the 9-1-1 system from automatic dialing devices in cases where there is no emergency pose an immediate danger to public safety; and'

Further amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 25 MRSA §2931, as enacted by PL 1997, c. 291, §3, is repealed and the following enacted in its place:

§2931. Misuse of E-9-1-1 system

1. Prohibited use. A person is guilty of misuse of the E-9-1-1 system if without reasonable cause the person, after having been forbidden to do so by a public safety answering point manager or administrator or a law enforcement officer:

A. Makes repeated telephone calls to a public safety answering point by dialing 9-1-1 to make nonemergency reports or inquiries; or

B. Causes telephone calls to be made to a public safety answering point using an alarm or other alerting device that

COMMITTEE AMENDMENT

R. 415

COMMITTEE AMENDMENT "A" to S.P. 419, L.D. 1208

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automatically dials 9-1-1 and transmits a prerecorded signal or message.

2. Penalty. Violation of subsection 1, paragraph A is a Class E crime. Violation of subsection 1, paragraph B is:

A. For the first offense, a civil offense for which a civil forfeiture of up to \$500 may be adjudged; or

B. For a second or subsequent offense, a Class E crime.'

Further amend the bill by inserting at the end before the summary the following:

'FISCAL NOTE

This bill may increase prosecutions for civil violations and Class E crimes. If a jail sentence is imposed for prosecutions of Class E crimes, the additional costs to the counties are estimated to be \$82.48 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

SUMMARY

This amendment replaces the bill but preserves, with changes, the substance of that portion of the bill that creates a new offense under the E-9-1-1 laws. As in the bill, under this amendment a person is guilty of misuse of the E-9-1-1 system if without reasonable cause the person, after having been forbidden to do so by a public safety answering point manager or administrator or a law enforcement officer, causes telephone calls to be made to a public safety answering point using an alarm or other alerting device that automatically dials 9-1-1 and transmits a prerecorded signal or message. Under the bill, this violation would be a Class E crime. Under this amendment, a first offense is a civil infraction and any subsequent offense is a Class E crime. This amendment also adds a fiscal note to the bill.